

organization covered in each of the species. For the purpose of obtaining claims to more than one species in the same case, the generic claim cannot include limitations not present in each of the added species claims. Otherwise stated, the claims to the species which can be included in a case in addition to a single species must contain all the limitations of the generic claim.

Once a claim that is determined to be generic is allowed, all of the claims drawn to species in addition to the elected species which include all the limitations of the generic claim will ordinarily be obviously allowable in view of the allowance of the generic claim, since the additional species will depend thereon or otherwise include all of the limitations thereof.

A key determination in whether a generic claim is appropriate depends on the disclosure of a commonality of operation, function or effect. As stated in the present application, paragraph 32, "CD1 blocking agents are molecules that interfere with the binding of CD1 by the T cell antigen receptor, for example by competitive or non-competitive binding to the extracellular domain of CD1, or to T cell antigen receptors that recognize CD1". The restriction groups set forth by the Examiner, Groups I-VI, are all different agents that block the binding of CD1 and the T cell antigen receptor. Therefore there is a commonality of operation for all of these agents.

In view of the above remarks, Applicants respectfully request limitation of the restriction to a generic claim, with election of the species, antibodies.

#### CONCLUSION

Applicants submit that all of the claims are now in condition for allowance, which action is requested. If the Examiner finds that a Telephone Conference would expedite the prosecution of this application, she is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any other fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number STAN-190.

Respectfully submitted,

Date: July 24, 2002

By: Pamela Sherwood  
Pamela J. Sherwood, Ph.D.  
Registration No. 36,677

BOZICEVIC, FIELD & FRANCIS LLP  
200 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231